

MEMO ENDORSED

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**THE CITY OF NEW YORK
LAW DEPARTMENT**

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April 25, 2025

BY ECF

Honorable Andrew L. Carter, Jr.
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Coleman, et al. v. Optum, Inc., et al.*, 22-cv-5664 (ALC)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, and the attorney assigned to the defense of the above-referenced matter on behalf of Defendant New York City Health and Hospitals Corporation ("H+H").

The individual Plaintiffs Vernaize Coleman and Cynthia Holmes (the "WTPA Plaintiffs") bring a putative class action against H+H under the New York Wage Theft Protection Act, N.Y. Labor Law § 195(3).

I write to respectfully request a four-week extension of time, from April 25, 2025 until May 23, 2025, for H+H to serve and file its motion to dismiss the Amended Complaint. This is Defendant H+H's first request for such an extension, and Plaintiffs consent to this request.

The reason for the requested extension is that H+H and the WTPA Plaintiffs are currently engaged in settlement discussions to resolve the matter, which may obviate the need for motion practice. Specifically, the WTPA Plaintiffs have conveyed an initial settlement demand, which Defendant H+H is currently evaluating. The requested enlargement of time, therefore, will enable the parties to fully explore the possibility of settlement prior to expending the parties' and judicial resources on motion practice.

Accordingly, Defendant H+H respectfully requests that the Court grant an extension of time, until May 23, 2025, to serve and file its motion to dismiss the Amended Complaint.

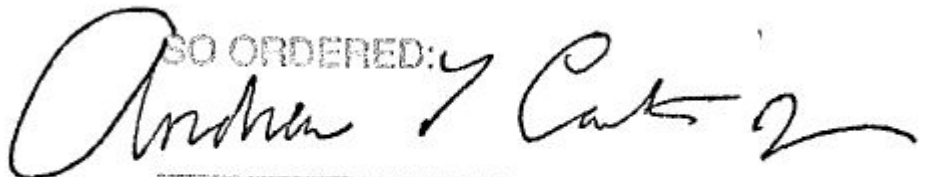
I thank the Court for its consideration of the within.

Respectfully submitted,

/s/

Philip S. Frank
Assistant Corporation Counsel

cc: All counsel of record (via ECF)

SO ORDERED:

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

April 29, 2025